

RTI AND MASS MEDIA

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The right to information act, popularly known as RTI act, has become a very important law that has been brought by the government in recent years. It has proved a very useful tool for common people and social activists to fight against corruption and to have a better control upon officers of various government departments and agencies and also to protect their legal and constitutional right. The transparency of information has increased. The cover of secrecy above various kinds of information has reduced largely.

Now there is a better access of information to various sections of government departments and organizations. Though even today the awareness about this law (RTI) among common people at grass root level is not as much as it should be, however, it has got a good publicity in educated and service class of society. Now various activities about RTI are going on in the society. RTI-activists have developed to help people. They are approaching government offices to collect information for different reasons. At present, RTI are becoming a regular part of content of mass media. Newspapers and other mass media channels are continuously covering different aspects of this act. At the same time, Media reports also indicate that all things are not going in right direction. The contents of mass media in reference to right to information throw a light on the various practical aspects of this act. Several websites have been developed to give various information about RTI. Though, There is not any well organized documents or report in reference to the RTI yet, we can know a lot about the practical aspects of this acts by the stories published in various newspapers.

The present research article is an attempt to discuss the social interaction of this act with various government departments and organizations as given in mass media. It is based on the news published in various newspapers in the month of September, October and November 2009.

RTI has certainly provided an opportunity to common people to collect information not only from lower offices of government but also from the highest offices of government where officials have various reasons to deny or hide information by taking the shelter of law of privacy. For example, the applicant Subhas Aggrawal has sought copy of a letter former president APJ Kalam wrote to former prime minister Atal Bihari Bajpayee expressing displeasure over some person listed for the awards Padmshri given in 2004. Kalam wanted to know reasons people were chosen for giving the award. The president secretariat office denied to provide the information but Chief information commissioner Wajahat Habibulla has said that as per high court order, president secretariat can not deny information under privacy clause of RTI.¹

Common people are now in position to collect that information which was quite impossible for them even to think about a few years back. They have also got right to make complain if they are denied from being given to them. Orissa information commission has appointed two IAS officers to inquire into the complaint of RTI activist Biswapriya Kanungo that he was denied accurate and full information on property owned by all gazetted officer in the state.²

The reporter and newspaper have started to use this act in a more professional style than a common man as far as seeking of information is concerned under RTI. The reporter of a newspaper has collected a detail report of expenditures by different parties in the general election 2009 and presented them is a series of report in his newspaper. The office of election commission has no problem in giving such information, as it has nothing to hide. The act has given great opportunity to reporters to collect information from various offices to create exclusive or analytical stories.³ Similarly, Lawyers are also using this act to get various informations to present them in court in reference to judicial procedures.⁴

RTI has been useful in opening the records of people with criminal and other dubious background. Earlier, it was not possible for common people to know such information but any interested person can now ask for such information and get it.

RTI act opens records or hidden facts about any one which would have otherwise not been come to light. Only this act presented one such criminal record of a person in Kanpur who was earlier being shown as a responsible good citizen and came into lime light with FIR.⁵

Similarly, there are a large number of cases in which persons got their due share or succeeded in protecting their legal right. Various problems of people were

solved once they tried to know the reasons through RTI act. This act has certainly moderated the working culture and office environment of government offices and has imposed a kind of control on officers and other people in the government offices and it has also developed a kind of self control among them. Now there is a consciousness among government service class people in reference to their duty.

However, all things are not going in right direction .Study by National Right to Information Awards Secretariats has found that a person has only 39 percent chance of getting information sought under Right to Information. Among the reasons cited for not giving out information are inadequate staff, low budget and poor infrastructure. More than 60 percent officers have no training in RTI. But basic problem is Government's unwillingness to give information to people. There are several cases described later in this article which reveals apathetic attitude of government departments in these areas.⁶

The condition of RTI act differs from state to state. For examples, it is not in a very good condition in Uttar Pradesh. Aruna Roy, former IAS Officer from Rajasthan, has said that the condition of act RTI is not very good in Uttar Pradesh. She said, the law and the administration are in a very loose position. So one has to do various struggle. She said that political parties should discuss this issue with public through their representatives.

Aruna Roy has done a lot of work in the area of RTI. She said that the objective of the law is to transfer the power in the hand of public. It has succeeded to some extent. The relation of officers with public is continuously changing. Now the situation is that Common people can reach offices at any time, and they cannot deny them.⁷

The comment given by Aruna Roy can be well understood by the attitude adopted by Uttar Pradesh government as it is the only state in the country where the civil aviation department has been put outside the purview of RTI act. According to the state government, since the department deals with VVIPs senior officials, any queries about this department could hamper the state security. Megasayay Award winner and RTI activists filed a public interest litigation on this issue in 2008 at Allahabad high court, but the state Government has not yet replied.⁸

There are some government departments in which the cover of secrecy is very hard and they are not ready to give even very simple information. They have traditionally kept themselves away from sharing any kinds of information with common people. For examples-, the army does not give even simple information asked in RTI. The Hindustan Hindi newspaper reporter when asked about the curiosity of information which people want to know from information officer of the information office of the army situated at Lucknow, the army could not give reply of all these questions. This was clear by the attitude of the office.⁹

At same time, some department is making extraordinary performance. CVC has released the names of those officials on their website, who have been enlisted to be the most corrupt official in the departments, It is a part of transparency in reference to providing information.¹⁰

Other areas are also being affected by RTI. The public record act lay down the law regarding preservation of policy making details and making the same available to public. The review panel set up by National Archive has suggested revolutionary changes in the in the Public Record Act.¹¹ It will help people in collecting the information in a more smooth manner.

The information officers are also making mockery of this act. Many times, they behave in some such manner that the person seeking information finds himself in a very awkward and embarrassing position. The news published in a Hindustan Times describes that if one want to have an information from the headquarter of home guards under Right to information act ,one has to have Rs 7,68,284 first without which it is not possible to have that information. That is what the Home guard department told Salim Beg an RTI activist who had filed an RTI Petition from the state government under RTI act section 6(1) to know about the exact numbers of home guard in the state and about their deployment in the district. He sought information about the money given to home guard and duty allotted to them according to Government norm and number of cop still awaiting their salary.¹² But the reply given to the RTI activist has certainly shown a non cooperative attitude of Government department. They at first hand try to escape from giving information. Though now central information commission has given decision that government offices can not demand money from RTI applicants in the name of expenditure except the fee fixed for the same.¹³ Here is another example of providing information which once again proves the above attitude

of government departments at local level.

The office of regional office District food supply officer at Kanpur gave a blank envelop to a citizen who had sought nine points information from the office about the said office and district office. Anwerganj situated regional office of food supply sent this letter to one citizen Nassir after being directed by commissioner of the department in which it has said that the letter has been attached with the information which were sought from the office. Though there was not any such information attached with. The applicant has now complained with state information office.¹⁴ Whenever one go to seek any information taking the help of RTI law, the Government offices try different attempts to hide the information and harass the person seeking the information.

The government regional offices of Ayurvedic and Unani medicine situated at Faizabad demanded mobile number and identity proof from the person who sought information from the said office in reference to the order of supply of stationary to the office. The person had also deposited the expenditure for photocopy of the documents but the reply given by the office was an attempt to malign and create trouble before the information seeker.¹⁵

Some times even the public approach in reference to the seeking of information becomes very impractical. An angry government employee has filed an application in a office of a national commission under RTI asking to make him available photo copies of all order it has passed since its inception till now. As per RTI act this can not be denied, but the problem is that the commission has pronounced 60000 decision so far.¹⁶

However, the success of this act depends to a great extent upon those people who are responsible for its inspection and implementation. Among them, the posts of chief information commissioner and State information commissioner are the most important. Perhaps this is reason that the demands for appointment of a responsible and honest person for these posts are made by various sections of people and any complain against them dissatisfy people. Kiran Bedi, a retired director general of police Magsaysay award winner should be made the new chief information commissioner. This demand has been made by well known personalities in a letter to the prime minister.¹⁷ Though Chief information commissioner himself has said that there is no question of public campaign to choose chief information commissioner.¹⁸

The credit of state Information commissioner is very crucial. People have realized this fact. Any controversy about his dignity, honesty and integrity may create a kind of worry and anxiety among them. The information officer of Uttar Pradesh came into controversy and demand for his resignation was made by All India Right To Information Awareness Forum from the government after he was fined with Rs. 50,000 by the Allahabad High court in a matter of contempt.¹⁹

Section four of the RTI act is very important. This section must be well protected to meet the requirement of RTI. Vajhat Habibullah said this in a seminar in Lucknow. This section is very important to bring transparency in the functioning of the government. He said all the government offices which are under the preview of RTI must be computerized. It will help people to know the information of these offices even without the use of RTI. This act has brought a great change in the qualifications.²⁰

Various seminar and other kinds of programmes are continuously being held in reference to various aspects of RTI. The utilities of RTI have motivated educated and intellectual class of societies to discuss this issue. Experts are of the opinion that RTI can help in the fight against corruption.²¹ However political will is necessary to make RTI a successful act. In this reference the step taken by Bihar chief minister can be welcomed. Where information officer was accused for harassment of RTI complaint. This matter got attention at higher level and Bihar Chief Minister asked the chief secretary and director general of police to look into case and initiate departmental proceedings against information officer if they are found guilty of harassing RTI applicants.²²

However, the misuse of this act has also been realized and observed by the responsible officers. There are several people who use to seek unnecessary information from various agencies and departments. There are several government organizations which are very sensitive and dissemination of any kinds of information in their reference must be given in a disciplined manner. For example-The agencies like IB, RAW, ITBF and many other such agencies are exempt from the act unless the information sought deals with human right violation and corruption. With the government keen on amending RTI act, controversial issues like the constitution of benches and filing of frivolous and vexatious requests for the information are likely to

be discussed at a day long consultation with information commissioner.²³ There is growing feeling among the bureaucracy that some measure should be taken to dissuade people who are filing numerous requests. Some information commissioners too reflect this view.

References

1. Hindustan Times -LKO October-12, 2009 Page No. 11, 2. Ibid., 3- Bhajpa ko survekchar pyare to RaKaPa ko kare Dainik Jagran October 29, 2009 Kanpur page 1., 4- HT, Nov 23 2009, page 1, 5- RTI ferrets out criminal records HT OCTOBER 20, 2009 P-1, 6- Little right to information, An editorial in HT October 24, 2009, p-8, 7-Along way to go Dainik Jagran Lucknow, Sept-11 , 2009, Page-8, 8- EXPRESS NEWS SURVIVE, LKO- September 6, 2009, 9- India Army-Hindustan, Hindi newspaper Lucknow,Sept-12, 2009, 10- Hindustan, Hindi newspaper Lucknow, Sept-18, 2009 page-1, 11- Post -1947 govt. records may see RTI effect Indian Express Wednesday, October 21, 2009 LKO Page -9, 12- RTIinfo@Rs 7,68, 284 That is what authorities asked activist Salim Beg to pay HT, Lucknow, Oct 25 2009 P-2, 13- Hindustan Lucknow. Nov 9, 2009, P-1, 14- Blank envelop given in response to the information Dainik Jagran October 30, 2009 Kanpur page-3, 15- Hindustan October 22, 2009, Lucknow, Page 10. 16- RTI Trouble H.T., Monday Lucknow. Nov 09 2009 P-05, 17- Amir for Kiran Bedi as Watchdog body head H.T., Lucknow, Nov 2,2009. page-1, 18- Indian Express, N.Delhi., Nov 9, 2009, p-11, 19- Governor Demanded for dismissal of State Information Officer Dainik Jagran Kanpur, Nov-21, 2009, Page-2, 20- Hindustan, Hindi Daily, Lucknow, November 23, 2009, 21- Hindustan, Lucknow, November 18 2009 P-18, 22- RTI Harassment : Nitish asks DGP,Chief Secy to probe cases. Indian Express. New Delhi.Nov 11, 2009, 23- RTI amendment on govt menu TOI Kanpur, October 15,2009. Page -6